



PORTSMOUTH LOCAL AIR AGENCY

SERVING ADAMS, BROWN, SCIOTO AND LAWRENCE COUNTIES

605 Washington Street, Third Floor, Portsmouth, OH 45662 (740) 353-5156 Fax (740) 353-3638

Certified Mail

January 22, 2019

Re: Miller-Mason Paving Co., Inc.
Notice of Violation (NOV)
Air Permit
Highland County
0736020113

Diana Jones
Miller-Mason Paving Co., Inc.
8591 Mad River Rd.
Hillsboro, OH 45133

Subject: Notice of Violation

Dear Ms. Jones:

On November 8, 2018, Miller-Mason Paving Co., Inc. performed emissions testing on the baghouse that is used to control particulate emissions (PM) from the asphalt plant [OEPA EU ID: P902]. The emissions test was performed to demonstrate compliance with the permitted allowable grain loading (grains per dry standard cubic foot) emission limitation.

Findings

Based on a review of the emissions test results, Ohio EPA has determined that emissions unit P902 is not in compliance with the permitted allowable grain loading (grains per dry standard cubic foot) emission limitation. In order to bring your facility into compliance, we recommend promptly addressing these violations within the timeframes outlined in this letter.

1. Ohio Revised Code (ORC) 3704.05(C): *"No person who is the holder of a permit issued under division (F) or (G) of section 3704.03 of the Revised Code shall violate any of its terms or conditions."*

The terms and conditions of PTIO P0115002 establish a PM emissions limitation of 0.04 grains per dry standard cubic foot (gr/dscf) of exhaust gas.

- (a) The emissions test report submitted on December 12, 2018, identified the PM gr/dscf emission rates from the baghouse as follows:

Run #1 – 0.061 gr/dscf
Run #2 – 0.048 gr/dscf
Run #3 – 0.059 gr/dscf
Average – 0.056 gr/dscf

An exceedance of the PM emission limitation, as identified above, is considered a violation of the terms and conditions of PTIO P0115002 and Ohio Revised Code (ORC) 3704.05(C).

(b) *Requested action:*

Within 30 days of receipt of this letter, Miller-Mason Paving Co., Inc. shall submit a compliance plan to Ohio EPA which will address how the facility will address the PM emission limitation violation identified above.

Conclusion

The Ohio EPA requests that Miller-Mason Paving Co., Inc. promptly undertake the necessary measures to return to compliance with Ohio's environmental laws and regulations. Within 30 days of receipt of this letter, please provide, to Ohio EPA, the documentation requested above. If you have already resolved the violations listed above, thank you.

Failure to comply with Chapter 3704. of the Ohio Revised Code and rules promulgated thereunder may result in an administrative or civil penalty. If circumstances delay resolution of violations, Miller-Mason Paving is requested to submit written correspondence describing the steps that will be taken by date certain to attain compliance.

Please note that the submission of any requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek administrative or civil penalties as provided in Section 3704.06 of the Ohio Revised Code.

Thank you for your time and cooperation and if you have any questions, please do not hesitate to contact me by phone at (740)353-5156 or by e-mail at cindy.charles@epa.ohio.gov.

Sincerely,



Cindy Charles
Director
Portsmouth Local Air Agency

cc: James Kavalec, Central Office, Ohio EPA
John Paulian, Central Office, Ohio EPA
Brian Dickens, Region 5 U.S. EPA